



Order Filed on September 9, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

MILSTEAD & ASSOCIATES, LLC

By: Andrew M. Lubin

Atty. ID: AL0814

1 E. Stow Road

Marlton, NJ 08053

(856) 482-1400

File No. 230324-2

Attorneys for Movant: Select Portfolio Servicing, Inc.

In Re:

Claribel Pena

Case No.: 21-10428-ABA  
Chapter 13


Hearing Date: August 3, 2021  
Time: 10:00 AM

Judge: Andrew B. Altenburg, Jr.

**ORDER RESOLVING MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

**DATED: September 9, 2021**

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Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

1. The above-styled Motion having been scheduled for a hearing before the Court on August 3, 2021, upon Notice of Hearing to each of the parties in interest, and for good cause shown:
2. FURTHER IT IS HEREBY ORDERED that the Motion for Relief from Stay is denied, as the parties herein agree that the interest of Movant is adequately protected by payment and performance as more particularly set forth hereinafter
3. FUTHER ORDERED that as of August 3, 2021, the post-petition arrearage is as follows, pursuant to the terms of the Note, as set forth in the chart below:

<b>Number of Missed Payments</b>	<b>From</b>	<b>To</b>	<b>Monthly Missed Principal and Interest</b>	<b>Monthly Missed Escrow (if applicable)</b>	<b>Monthly Payment Amount</b>	<b>Total of Monthly Payments Missed</b>
<b>2</b>	<b>7/1/21</b>	<b>8/1/21</b>	<b>\$292.32</b>	<b>\$267.98</b>	<b>\$560.30</b>	<b>\$1,120.60</b>
<b>Less post-petition partial payments (suspense balance):</b>						<b>(\$518.55)</b>
						<b>Total: \$602.05</b>

4. This arrearage shall be paid as follows:

Debtor is ordered to pay the total post-petition arrearage totaling a sum of \$602.05 on or before August 31, 2021.

5. Regular payments in the amount of \$560.30 to be paid on or before September 1, 2021 and any additional amount as required or allowed by the Note and Security Instrument. Payments should be sent to: Select Portfolio Servicing, Inc. Attn: Remittance Processing P.O. Box 65450 Salt Lake City, UT 84165-0450.

6. FURTHER ORDERED that should Debtor(s) default in payment of any sum specified herein, or in any regular monthly mortgage payments which come due according to Movant's

Loan Documents, for the life of the bankruptcy then upon notice of default after thirty days sent by first class mail to Debtor(s), attorney for Debtor(s) and the Trustee, and failure of Debtor(s) to cure such default within 10 days from the date of receipt of such notice, Movant may file a Certification of Default, with service upon Debtors, attorney for Debtors and the Trustee, and the Court may enter an Order releasing Movant from the automatic stay, without further notice or hearing.

7. FURTHER ORDERED that in the event relief from the automatic stay is later granted, the Trustee shall cease funding any balance of Movant's claim, and the provisions of Fed. R. Bank. P. 4001(a)(3) may be waived.

8. FURTHER ORDERED that upon completion of any foreclosure sale, any funds in excess of the amount due to Movant and to any subordinate lienholder(s) properly entitled to receive proceeds under applicable State Law that would otherwise be payable to the Debtor(s), shall be paid to the Trustee by the entity receiving the funds from the foreclosure sale for the benefit of the Estate while the Debtor(s) remains in bankruptcy.

9. FURTHER ORDERED that there having been no appearance by the Co-Debtor(s), the Motion for Relief from the Co-Debtor Stay is granted.

In re:  
Claribel Pena  
Debtor

Case No. 21-10428-ABA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Sep 09, 2021

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 11, 2021:

Recip ID	Recipient Name and Address
db	+ Claribel Pena, 2877 Harrison Avenue, Camden, NJ 08105-4011

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 11, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 9, 2021 at the address(es) listed below:

Name	Email Address
Andrew M. Lubin	on behalf of Creditor Select Portfolio Servicing Inc. bkecf@milsteadlaw.com alubin@milsteadlaw.com
Charles M. Izzo	on behalf of Debtor Claribel Pena cminj2001@yahoo.com izzocr79754@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor Select Portfolio Servicing Inc. dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

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User: admin

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Date Rcvd: Sep 09, 2021

Form ID: pdf903

Total Noticed: 1

TOTAL: 6